



Public Service of New Hampshire

New Hampshire Yankee Division

George S. Thomas  
Vice President-Nuclear Production

NYN-88026

February 29, 1988

United States Nuclear Regulatory Commission  
Washington, DC 20555

Attention: Document Control Desk

References: (a) Facility Operating License No. NPF-56, Docket No. 50-443

(b) PSNH Letter (NYN-87117) dated October 1, 1987, "Application for Scheduler Exemption from 10 CFR 50.54(w)," G. S. Thomas to NRC

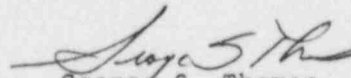
Subject: Request for Additional Information

Gentlemen:

In Reference (b), New Hampshire Yankee (NHY) transmitted its request and justification for a Scheduler Exemption with regards to the level of onsite property insurance coverage. As a result of their review, the NRC Staff requested additional information with regards to considerations delineated in 10 CFR 50.12. The specific additional information requested by the Staff is provided in the Enclosure.

Accordingly, NHY believes that the enclosed meets the Staff's request and further supports the Scheduler Exemption request. Should you have any questions regarding this matter, please contact our Bethesda Licensing Office (Mr. R. E. Sweeney) at (301) 656-6100.

Very truly yours,

  
George S. Thomas

Enclosure

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ENCLOSURE TO NYN-88026

Section 50.12(a)(1) of Title 10 to the Code of Federal Regulations (CFR) authorizes the Commission to grant exemptions which are authorized by law, will not present undue risk to the public health and safety, and are consistent with the common defense and security. Furthermore, the Commission can only issue an exemption if special circumstances are present.

NHY believes that the response provided in Reference (b) provides sufficient justification to the special circumstances present; however, NHY provides the following with regards to Section 50.12:

- (1) The Commission should grant the Scheduler Exemption from the requirements of 10 CFR 50.54(w) as presented in Reference (b);
- (2) Pursuant to 50.12(a)(1), the Commission is authorized by law because the Scheduler Exemption does not present an undue risk to the public health and safety as noted in Reference (b); and
- (3) The subject Scheduler Exemption represents special circumstances as identified in Reference (b); and special circumstances are present pursuant to 50.12(a)(2)(v) because the Scheduler Exemption would provide only temporary relief from the applicable regulation [10 CFR 50.54(w)]. NHY has made good faith efforts to comply with the regulations; and full compliance with the regulation will be assured prior to initial criticality, thus ensuring that the circumstances of the Scheduler Exemption do not present an undue risk to the public health and safety.

Furthermore, the Scheduler Exemption request has been evaluated for other considerations; and NHY believes the proposed Scheduler Exemption does not

- (1) involve a significant increase in the probability or consequences of an accident because the Scheduler Exemption request is administrative in nature and has no bearing on the consequence of an accident because no undue risk exists;
- (2) create the possibility of a new or different kind of accident because a significant accident is, for all practical purposes, highly improbable since the reactor has not gone critical or allowed to operate at any power level as noted in the conditions of the Facility Operating License, NPF-56; or
- (3) involve a significant reduction in the margin of safety, because this Scheduler Exemption does not affect changes in the plant design or operation which could have an affect on safety margins.

NHY submits that justification exists for granting the Scheduler Exemption based on the information provided above and in Reference (b). Furthermore, granting the Scheduler Exemption would eliminate the need to incur costs associated with obtaining increased onsite property damage insurance until such time as a low power license allowing criticality is issued, thus eliminating the undue financial burden placed on the Seabrook owners and their respective ratepayers.